

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

United States

v.

Case No. 08-cr-34-01-SM

Mark Williams

ORDER

Re: Document No. 37, Motion for Transcript at Government
Expense

Ruling: Denied. Petitioner seeks free transcripts to support his anticipated filing of a motion under 28 U.S.C. Section 2255, but he does not disclose what issue or issues he expects to raise that require reference to a transcript. The burden is on petitioner to "come into court with his case, not simply to try to make one out. This does not mean, of course, with his full case, but he must show merit, not just personal opinion." Ellis v. State of Maine, 448 F.2d 1325, 1327 (1st Cir. 1971). And, under the provisions of 28 U.S.C. Section 753(f), the court cannot certify that defendant's motion for relief under Section 2255 (which has not been filed) is not frivolous and that transcripts are needed to decide an issues presented.


Steven J. McAuliffe
Chief Judge

Date: November 9, 2009

cc: Mark Williams, pro se
Terry Ollila, AUSA
Thomas McCue, Esq.